THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA WESTERN DIVISION CIVIL CASE NO. 5:16-cv-00302-RE

In re: CELESTE G. BROUGHTON,)
Debtor.)) <u>ORDER</u>)
)

THIS MATTER is before the Court on the following pleadings filed by the Debtor: (1) "Motion for Extension of time to File Rule 9023 Motion Regarding Eight Orders Signed Mid-December" [DE-474]; (2) "The Court (at DE 465) Erred in Denying Debtor the Requested Transcript" [DE-477], which the Court construes as a motion for reconsideration: (3) "Motion to Correct DE 466 to Reflect that Judge Boyle Voluntarily Withdrew from the Case and That Debtor Never Moved for an Order for His Disqualification" [DE-478]; (4) "Objection to Order (DE 462) Ruling on Jury Trial Issues and Request that CB's Right to Jury Trials Be Honored" [Doc. 479]; (5) "Motion Re DE 464, The Denial of Hearing and Request for Appointed Counsel" [DE-480]; (6) "Rule 9023 Motion Re Order to Sell" [DE-481]; (7) "Rule 9023 Motion Re Court's Refusal to Enforce Constructive Trust" [DE-483]; and (8) "Objection to Order Concerning SPS's Violation of Stay" [DE-482].

All of the Debtor's present motions, with the exception of the motion for an extension of time [DE-474] object to, or seek reconsideration of, various Orders previously entered by the Court in this case.

After careful consideration, the Court will allow the Debtor an extension of time *nunc pro tunc* to file Rule 9023 Motions. Upon further careful consideration and review, the Court finds no basis in fact or law to reconsider or modify its prior Orders. Accordingly, the Debtor's objections and requests for reconsideration are denied.

IT IS, THEREFORE, ORDERED that:

- (1) "Motion for Extension of time to File Rule 9023 Motion Regarding Eight Orders Signed Mid-December" [DE-474] is GRANTED nunc pro tunc, and the Debtor's Rule 9023 motions will be deemed to have been timely filed;
- (2) "The Court (at DE 465) Erred in Denying Debtor the Requested Transcript" [DE-477], which the Court construes as a motion for reconsideration, is **DENIED**;
- (3) "Motion to Correct DE 466 to Reflect that Judge Boyle Voluntarily Withdrew from the Case and That Debtor Never Moved for an Order for His Disqualification" [DE-478] is **DENIED**;

- (4) "Objection to Order (DE 462) Ruling on Jury Trial Issues and Request that CB's Right to Jury Trials Be Honored" [Doc. 479] is **OVERRULED**;
- (5) "Motion Re DE 464, The Denial of Hearing and Request for Appointed Counsel" [DE-480] is **DENIED**;
- (6) "Rule 9023 Motion Re Order to Sell" [DE-481] is **DENIED**;
- (7) "Rule 9023 Motion Re Court's Refusal to Enforce Constructive Trust" [DE-483] is **DENIED**; and
- (8) "Objection to Order Concerning SPS's Violation of Stay" [DE-482] is OVERRULED.

IT IS SO ORDERED.

Entered this the <u>//</u> day of February, 2018.

MARTIN REIDINGER

UNITED STATES DISTRICT JUDGE